GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3778
ANSWERED ON:24.03.2017
E-pharmacy
Panda Shri Baijayant "Jay";Reddy Shri A.P. Jithender;Singh Shri Dushyant

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government has any proposal to establish separate guidelines for the sale of medicines online in order to outline a legal framework for e-pharmacy businesses and if so, the details thereof;

(b) whether the Government proposes to amend the Drugs and Cosmetics Act, 1940 to differentiate between online and offline pharmacies and if so, the details thereof;

(c) whether the Government proposes to take necessary steps to address the issue of validity of prescriptions in e-pharmacy businesses and if so, the details thereof;

(d) the details of modalities and difficulties being faced by start-ups in the e-pharmacy business; and

(e) if so, the corrective steps taken by the Government in this regard?

Answer

ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI FAGGAN SINGH KULASTE)

(a) & (b): In view of the concerns raised on the sale of drugs over internet, the Drugs Consultative Committee (DCC) in its 48th meeting held on 24th July, 2015, constituted a sub-committee to examine the issue of sale of drugs on internet. The Sub-Committee, in its report, has interalia recommended:-
â€¢ Creation of a National Portal to act as the nodal platform for transacting and monitoring online sale of drugs.
â€¢ Necessity of evolving a mechanism to register e-pharmacies.
â€¢ Geographical restrictions for operation of e-pharmacies.
â€¢ Mechanism for verification of authenticity through a link to the National Portal.
â€¢ Existing licensees carrying out retail sale of drugs would also be able to register on the National Portal for carrying out online sale of drugs.
â€¢ As certain categories of drugs viz. the Narcotic and Psychotropic drugs, tranquilizers, habit forming drugs and Schedule X drugs that are prone to being abused or misused to be excluded from sale through e-pharmacies.
â€¢ Amendment of Drugs & Cosmetics Rules, 1945 for effective monitoring and proper enforcement of the Drugs & Cosmetics Act, 1940 for achieving its aims and objectives.

(c) to (e): Any sale of medicine in the country continues is be regulated as per provisions of the Drugs and Cosmetics Rules, 1945 as amended from time to time. In terms of the provisions of the said Rules, drugs specified in Schedules H, H1 and X cannot be sold except on, and in accordance with the prescription of a Registered Medical Practitioner from a licenced premises. The pharmacies are also required to maintain the record of medicines dispensed in accordance with the provisions of Drugs & Cosmetics Rules, 1945. Therefore, any sale of such drugs other than from a licensed premises is not in conformity with these rules. Currently, e-pharmacies which do not meet the requirements of Drugs and Cosmetics Rules, 1945 including those relating to sale from a licensed premises and maintaining necessary records, are not permitted.